

ORDER

1. Title and commencement—(1) This order may be cited as the Woodville Borough - Woodville County Union Order 1987.

(2) This order shall come into force on the day after the returning officer, pursuant to the Local Elections and Polls Act 1976, declares the result of the election of the members of the district council.

(3) Those provisions of this order necessary:

(a) to provide for the first election of the members of the district council; and

(b) for the appointment of a principal administrative officer.

shall come into force on the date of the making of the order.

2. Constitution—(1) The districts of Woodville Borough and Woodville County are hereby united into one district to be known as the Woodville District (hereinafter referred to as "the united district");

(2) The Woodville Borough Council and the Woodville County Council (hereinafter referred to as "the uniting authorities") are hereby dissolved;

(3) There shall be a council for the united district to be known as the Woodville District Council (hereinafter referred to as "district council").

3. Ridings—There shall be constituted 5 ridings for the united district to be known as:

Woodville Riding, comprising the area of the former Woodville Borough;

Whariti Riding, comprising the area of the Woodville Riding of the former Woodville County;

Manga-atua Riding comprising the area of the Manga-atua Riding of the former Woodville County;

Kumeroa Riding, comprising the area of the Kumeroa Riding of the former Woodville County;

Maharashtra Riding, comprising the area of the Maharashtra Riding of the former Woodville County.

4. Membership of District Council—(1) The district council shall comprise a mayor, to be elected by the electors of the united district as a whole, and 9 members elected as follows:

4 members to be elected by the electors of the Woodville Riding;

1 member to be elected by the electors of the Whariti Riding;

1 member to be elected by the electors of the Manga-atua Riding;

1 member to be elected by the electors of the Kumeroa Riding;

2 members to be elected by the electors of the Maharashtra Riding.

(2) When the district council, pursuant to section 56 of the Local Government Act 1974, is determining the due representation to be given the several ridings of the united district for the purposes of the 1989 general election of the council, it shall at the same time give consideration to the desirability of achieving equality between the number of members to be elected to represent the Woodville Riding and the number of members to be elected to represent the other ridings of the united district. Before the determination of the district council pursuant to section 56 is given effect to by special order, the district council shall refer the determination to the Local Government Commission for confirmation. The commission may modify the determination to such extent as it considers necessary, and the district council shall by special order give effect to the determination as confirmed by the commission.

5. First Election of Council—(1) The first election of members of the district council shall be held on 2 May 1987.

(2) For the purposes of conducting the first election of the district council the principal administrative officer and the returning officer for the united district shall be the principal administrative officer and the returning officer of the Woodville Borough Council.

(3) The first election of the district council shall be conducted by postal vote.

(4) The Local Elections and Polls Act 1976, the Local Government Act 1974 and the Local Government (Electoral and Survey) Regulations 1986 shall, subject to any necessary modifications, apply in respect of the holding of the first election of the district council.

6. First Meeting of Council—The first meeting of the district council shall be convened by the person holding the office of county clerk and chief executive officer of the Woodville County Council.

7. Mayor and Principal Administrative Officer—(1) The mayor of the district council shall exercise the duties, powers, and functions of the mayor and chairman of the uniting authorities.

(2) The principal administrative officer of the district council shall be the county clerk and chief executive officer of the former Woodville County Council and shall exercise the duties, powers, and functions of the principal administrative officers of the uniting authorities.

8. Manawatu United Council—(1) The district council shall appoint 2 members to the Manawatu United Council.

(2) Those members of the Manawatu United Council appointed separately by the councils of the uniting authorities shall continue in office until such time as successors are appointed.

9. Finance—(1) Notwithstanding anything in this order, for a period of 3 years or such other period as may be determined by the commission on application by the district council, the united district shall for the purposes of finance be divided into 2 divisions as follows:

(a) the Urban Financial Division, comprising the area of the Woodville Riding; and

(b) the Rural Financial Division, comprising the area of Whariti, Manga-atua, Kumeroa and Maharashtra Ridings.

(2) The special funds of the uniting authorities shall be expended only for the purposes for which they were set aside and, after provision has been made for all liabilities, for the benefit only of the financial division in which they originated, and money required to be paid into any special fund to meet any deficiency shall be found from within the financial division in respect of which that special fund originated: provided that the plant renewal reserve funds of the uniting authorities may be merged and become an account of the district council.

(3) The Woodville County Council's Special Reserve Fund shall be used only for the capital development of reserves designated pursuant to the Reserves Act 1977 and these funds may be expended in the Urban Financial Division if so decided by the district council.

(4) The district council shall in each year transfer to the account of the Urban Financial Division 2 percent of the general rate revenue collected in the Rural Financial Division, such funds to be applied to the operation of the following facilities in the Urban Financial Division:

(i) District community centre;

(ii) Recreation grounds, including Fountaine Square;

(iii) Swimming pool;

(iv) Tennis courts;

(v) Library;

(vi) Saddle Road refuse disposal area.

(5) All loan liabilities existing at the date of union shall continue to be secured against the areas over which they were secured as at that date.

(6) For all accounting and other financial purposes the union shall be deemed to have taken place at the commencement of the financial year in which this order comes into force pursuant to clause 1 (2) hereof.

(7) From the time that the union is deemed to have taken place in accordance with subclause (6) of this clause and until the united district and the district council come into being in accordance with clause 1 (2) of this order, all accounting and other financial purposes of the united district shall be the responsibility of the uniting authorities acting through a committee, comprising the mayor of the Borough of Woodville, the chairman of the Woodville County Council, and the principal administrative officers of the uniting authorities, of which the chairman of the Woodville County Council shall be the chairman.

10. Rating—Notwithstanding anything in the Rating Act 1967 the district council may require rates to be paid on an annual basis in the Rural Financial Division and on an instalment basis in the Urban Financial Division.

11. Town and Country Planning—The district planning schemes and scheme statements and codes of ordinances in force in the former Woodville Borough and former Woodville County shall be deemed to be the district planning scheme and scheme statement and code of ordinances of the united district, and the district council shall not be required forthwith as provided by section 35 (1) (f) of the Local Government Act 1974 and section 63 (2) of the Town and Country Planning Act 1977 to prepare a new district scheme for the whole of its district.

12. Local Authorities Petroleum Tax—For the purposes of Part XI of the Local Government Act 1974, the district council shall be the successor to the uniting authorities.

13. Transfer of Responsibilities—Except as otherwise provided in this order, the district council, in respect of the districts of the uniting authorities:

(1) Shall have and may exercise and be responsible for all the powers, duties, acts of authority and functions which were previously exercised or which would have been so exercised by the uniting authorities;

(2) Shall have and may exercise and be responsible for all liabilities, obligations, engagements and contracts which previously were, or which would have been, the responsibility of the uniting authorities;